

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

|                                     |   |  |
|-------------------------------------|---|--|
| <b>LAURA DUDLEY JENKINS, et al.</b> | : |  |
| <b>Plaintiffs,</b>                  | : | <b>Case No.: 1:11-cv-00279-KLL</b>         |
|                                     | : |  |
| <b>v.</b>                           | : | <b>Magistrate Judge Karen L. Litkovitz</b> |
|                                     | : |  |
| <b>ACM GROUP, et al.,</b>           | : | <b>Consent Judgment</b>                    |
| <b>Defendants.</b>                  | : | <b>Permanent Injunction</b>                |
|                                     | : |  |

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The Court being apprised of the facts and circumstances, and on the joint motion of the parties to the above-captioned action, hereby finds as follows:

1. Plaintiff has filed a civil suit against Defendants in the United States District Court, Southern District of Ohio, entitled *Laura Dudley Jenkins v. ACM, et al.*, S.D. Case No. 1:11-cv-00279 (hereinafter “Action”).

2. Plaintiff alleges that one or more of the Defendants or individuals or entities under their control attempted to collect a debt which she did not owe by placing a series of telephone calls to her residence falsely posing as a representative of the Hamilton County Clerk of Courts by causing her caller ID to falsely display the number of said office and falsely representing that Defendants have “important papers like a warrant or a summons” to serve upon Plaintiff when in fact no action had been initiated against Plaintiff, all in violation of the federal Fair Debt Collection Practices Act (15 U.S.C. § 1692 et seq.), the Ohio Consumer Sales Practices Act (O.R.C. § 1345.01 et seq.) and Ohio Revised Code sections 2913.05 and 2917.21.

3. After protracted, court facilitated, negotiations, and in reliance upon the information provided by Defendants and their counsel in connection with such negotiations, and in further reliance upon the representations made in the parties' written agreement, the parties have reached a settlement which provides for an agreed order permanently enjoining Defendants and any entities under their direct or indirect control from engaging in the conduct described in item two above, including specifically but not limited to the conduct known as "caller ID spoofing" by which Defendants caused Plaintiff's caller ID to falsely indicate that the calls she was receiving were from the Hamilton County Clerk of Courts office.

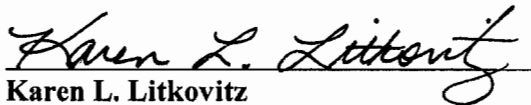
4. The conduct alleged by Plaintiff to be attributed to Defendants and/or their agents or employees violates the federal Fair Debt Collection Practices Act (15 U.S.C. § 1692 et seq.), the Ohio Consumer Sales Practices Act (O.R.C. § 1345.01 et seq.) and Ohio Revised Code sections 2913.05 and 2917.21, such that a party found to have engaged in such conduct may properly be permanently enjoined under O.R.C. § 1345.09(D). The Court further finds that enjoining such conduct is in the public interest.

5. Defendant ACM is owned and operated by James Phelps and Thai Han, who also operate similar debt collection ventures under the following names: American FP, LLC (which does business as "ABA" and/or "ABA, Inc."), Capital FC (which does business as "PCSG"), One FC (which does business as "WPG"), Western Capital Group (which does business as "WC Group"), United Financial Partners, Atlantic Resource Management and Capital Recoveries. (Collectively the "Defendant Entities").

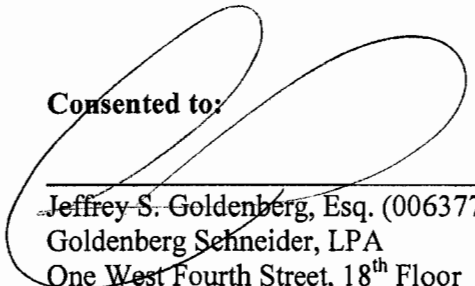
6. Phelps and Han have consented to this Court's jurisdiction over them individually and the Defendant Entities and to the entry of this Order. The parties have been represented by competent counsel in these proceedings and have knowingly consented to this Order.

NOW, THEREFORE, IT IS HEREBY ORDERED that James Phelps and Thai Han, the Defendant Entities as defined above, and any other entities, business organizations or ventures engaged in the collection of debts owned or controlled in whole or in part, directly or indirectly by Phelps, Han or any of the Defendant Entities, are hereby permanently enjoined from engaging in any form of so called "caller ID spoofing" in connection with their debt collection efforts. All collection calls placed by those subject to this Order shall display only the true and correct number from which the call is placed and none other. Any violation of this Order shall be punishable by contempt in this Court which may subject the violator(s) to such sanctions as it deems appropriate under the circumstances, including without limitation compensatory and punitive damages and attorney fees.

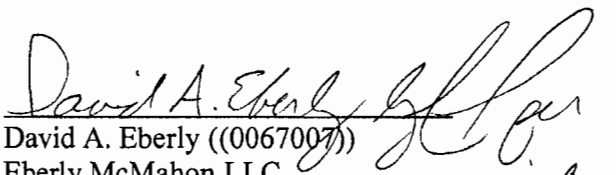
Date: 4/9/12

  
**Karen L. Litkovitz**  
Magistrate Judge

Consented to:

  
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